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9.0 COMMUNITY PROFILES

9.1 Introduction

The Magnuson-Stevens Fishery Conservation and Conservation Act (Magnuson-Stevens Act) requires, among other things, that all Fishery Management Plans (FMPs) include a fishery impact statement intended to assess, specify, and describe the likely effects of the measures on fishermen and fishing communities (§303(a)(9)).

The National Environmental Policy Act (NEPA) also requires federal agencies to consider the interactions of natural and human environments by using a “systematic, interdisciplinary approach which will ensure the integrated use of the natural and social sciences...in planning and decision-making” (§102(2)(A)). Moreover, agencies need to address the aesthetic, historic, cultural, economic, social, or health effects, which may be direct, indirect, or cumulative. Consideration of social impacts is a growing concern as fisheries experience increased participation and/or declines in stocks. The consequences of management actions need to be examined to better ascertain and, if necessary and possible, mitigate regulatory impacts on affected constituents.

Social impacts are generally the consequences to human populations resulting from some type of public or private action. Those consequences may include alterations to the ways in which people live, work or play, relate to one another, and organize to meet their needs. In addition, cultural impacts, which may involve changes in values and beliefs that affect people’s way of identifying themselves within their occupation, communities, and society in general are included under this interpretation. Social impact analyses help determine the consequences of policy action in advance by comparing the status quo with the projected impacts. Community profiles are an initial step in the social impact assessment process. Although public hearings and scoping meetings provide input from those concerned with a particular action, they do not constitute a full overview of the fishery.

The Magnuson-Stevens Act outlines a set of National Standards (NS) that apply to all fishery management plans and the implementation of regulations. Specifically, NS 8 notes that:

“Conservation and management measures shall, consistent with the conservation requirements of this Act (including the prevention of overfishing and rebuilding of overfished stocks), take into account the importance of fishery resources to fishing communities in order to: (1) provide for the sustained participation of such communities; and, (2) to the extent practicable, minimize adverse economic impacts on such communities.” (§301(a)(8)). See also 50 CFR §600.345 for NS 8 Guidelines.

“Sustained participation” is defined to mean continued access to the fishery within the constraints of the condition of the resource (50 CFR §600.345(b)(4)). It should be clearly noted that NS 8 “does not constitute a basis for allocation of resources to a specific fishing community nor for providing preferential treatment based on residence in a fishing community” (50 CFR §600.345(b)(2)). The Magnuson-Stevens Act further defines a “fishing community” as:

“...a community that is substantially dependent upon or substantially engaged in the harvest or processing of fishery resources to meet social and economic needs, and includes fishing vessel owners, operators, crew, and fish processors that are based in such communities.” (§3(16))

NMFS (2001) guidelines for social impact assessments specify that the following elements are utilized in the development of FMPs and FMP amendments:

1. The size and demographic characteristics of the fishery-related work force residing in the area; these determine demographic, income, and employment effects in relation to the work force as a whole, by community and region.
2. The cultural issues of attitudes, beliefs, and values of fishermen, fishery-related workers, other stakeholders, and their communities.
3. The effects of proposed actions on social structure and organization; that is, on the ability to provide necessary social support and services to families and communities.
4. The non-economic social aspects of the proposed action or policy; these include life-style issues, health and safety issues, and the non-consumptive and recreational use of living marine resources and their habitats.
5. The historical dependence on and participation in the fishery by fishermen and communities, reflected in the structure of fishing practices, income distribution and rights.

9.2 Methodology

9.2.1 Previous community profiles and assessments

The 2006 Consolidated HMS FMP used information from the Wilson *et al.* (1998) study for the 1999 FMP for Atlantic Tunas, Swordfish and Sharks that investigated the social and cultural characteristics of fishing communities in five states and one U.S. territory: Massachusetts, New Jersey, North Carolina, Florida, Louisiana, and Puerto Rico. These areas were selected because they each had important fishing communities that could be affected by the 1999 FMP and Atlantic Billfish Amendment, and because they are fairly evenly spread along the Atlantic and Gulf coasts and the Caribbean. In addition, the 2006 Consolidated HMS FMP used information gathered under the contract with the Virginia Institute of Marine Science (VIMS) at the College of William and Mary to re-evaluate several of the baseline communities (Kirkley, 2005). The VIMS study gathered a profile of basic sociological information for the principal states involved with the Atlantic shark fishery. From the 255 communities identified as involved in the 2001 commercial fishery, Amendment 1 to the 1999 FMP for Atlantic Tunas, Swordfish and Sharks focused on specific towns based on shark landings data, the size of the shark fishing fleet, the relationship between the geographic communities and the fishing fleets, and the existence of other community studies. While the recreational fishery is an important component in the shark fishery, participation and landings were not documented in a manner that allowed community identification. Wilson, *et al.* (1998) selected only the recreational fisheries found

within the commercial fishing communities for a profile due to the lack of community-based data for the sport fishery. A detailed description of additional information used in the community profiles analysis can be found in Section 9.2.2 of the Consolidated HMS FMP. In addition to the community profile information found in the Consolidated HMS FMP, a recent report was completed by MRAG Americas, Inc. and Jepson (2008) titled Updated Profiles for HMS Dependent Fishing Communities. This report is included in Appendix E of this document. This report includes updated community profiles and new social impacts assessments for HMS fishing communities along the Atlantic and Gulf of Mexico coasts. Several other chapters in this document include information that addresses the requirements described in section 9.1. Please refer to the Description of the Affected Environment in Chapter 3, Environmental Justice analysis in Chapter 4, the Economic Evaluation in Chapter 6, the Regulatory Impact Review (RIR) in Chapter 7, and the Final Regulatory Flexibility Analysis (FRFA) in Chapter 8. Furthermore, each of the management alternative suites in Chapter 4 includes an assessment of the potential social and economic impacts associated with the proposed alternatives. The preferred alternative suite was selected to minimize economic impacts and provide for the sustained participation of fishing communities, while taking the necessary actions to rebuild overfished fisheries as required by the Magnuson-Stevens Act.

9.3 Overview of the Shark Fishery

The shark fisheries of the Atlantic and Gulf of Mexico extend from Maine to Texas, and include Puerto Rico and the U.S. Virgin Islands. The geographic extent of the shark directed and incidental commercial permit holders is large, but is currently concentrated in the waters off four states; Florida (51 percent of shark permits), New Jersey (10 percent of shark permits), Louisiana (7 percent of shark permits), and North Carolina (6 percent of shark permits). The shark fishery is notable for the degree of flexibility of the commercial fishing fleet. Of the 527 vessels in the 2007 fleet, 231 vessels (44 percent) held directed shark fishery permits. The remaining 56 percent (296 vessels) held incidental catch permits that target species other than sharks. Vessels which engage in the directed shark fishery do so on a seasonal basis, depending on area and the length of the fishing season, and fish for other species at other times of the year.

Shark directed and incidental permit holders also possess permits in other HMS and non-HMS fisheries (Table 3.32). Currently, there are 269 Federally permitted shark dealers, the majority of which are located in Florida (38 percent). Table 3.34 shows the number of shark dealers permitted in each state in 2007. Dealers that possess shark permits also hold dealer permits for other species such as swordfish, dolphin/wahoo, reef fish and snapper/grouper. The additional permits that the commercial shark fishermen and dealers possess may help mitigate economic and social impacts of the preferred management measures.

9.4 State and Community Profiles

The 2006 Consolidated HMS FMP provides a thorough analysis, by state, of HMS fisheries including the shark fishery for in the Atlantic and Gulf of Mexico states and will not be duplicated here. The MRAG Americas, Inc. and Jepson (2008) report, Updated Profiles for HMS Dependent Fisheries, can be found in Appendix E of this document and provides social impact analysis by state of HMS dependent fishing communities.

Chapter 9 References

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